

Message Text

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12
ACTION EB-07

INFO OCT-01 EA-07 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

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FM AMEMBASSY JAKARTA
TO SECSTATE WASHDC 7293

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EO 11652: NA
TAGS: EAIR ID
SUBJECT: CIVAIR: RECOMMENDED DECISION
ON GARUDA APPLICATION

REF: STATE 256022

1. EMBASSY APPRECIATES DEPARTMENT'S REPORT ON CAB LAW
JUDGE'S RECOMMENDED DECISION ON GARUDA APPLICATION. WE NOTE
(PARA 4 REFTEL) THAT JUDGE'S DECISION BELIEVED BASED ON
COMITY AND RECIPROCITY RATHER THAN CURRENT BILATERAL AIR
SERVICES AGREEMENT. WE ASSUME THAT JUDGE TOOK NO ACCOUNT OF
NEW U.S. CIVAIR PROPOSAL WE HAVE MADE TO GOI. WOULD
APPRECIATE CONFIRMATION THAT JUDGE'S RECOMMENDED DECISION
IN NO WAY COMPROMISES THAT PROPOSAL. ALSO, IN VIEW OF
RELATIVELY ADVANCED STAGE OF GARUDA'S PERMIT APPLICATION,
WOULD BE VERY HELPFUL FOR US TO KNOW WHAT, IF ANY,
PROCEDURAL PROBLEMS GARUDA MIGHT FACE IN OBTAINING FOREIGN
AIR CARRIER PERMIT TO EXERCISE RIGHTS ENVISIONED IN NEW U.S.
PROPOSAL OF GOI WERE TO ACCEPT OUR OFFER.

2. GARDUA'S GENERAL COUNSEL HAS BEEN IN TOUCH WITH US
CONCERNING JUDGE'S RECOMMENDED DECISION. AS MIGHT BE
EXPECTED, HE WAS CONCERNED BECAUSE JUDGE RECOMMENDED FEWER
SERVICES THAN GRAUDA REQUESTED AND HAD NOT APPROVED
GARUDA'S REQUEST FOR GUAM TRAFFIC RIGHTS. WE TOLD HIM
THAT IN ABSENCE OF A BILATERAL AGREEMENT ACCEPTED BY BOTH
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GOVERNMENTS IT WOULD BE UNREALISTIC TO EXPECT CAB SERIOUSLY

TO CONSIDER GRANTING GARUDA GREATER RIGHTS TO U.S. THAN
GOI PREPARED TO GIVE U.S. CARRIER.

NEWSOM

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Message Attributes

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